

ish, or otherwise change the management authority of the State of Alaska or the Federal Government with respect to fishery resources.

**(c) Recommendations of Panel**

In addition to recommendations made by the Panel to the responsible management entities in accordance with any agreement with Canada regarding management of salmon stocks originating from the Yukon River in Canada, the Panel may make recommendations concerning the conservation and management of salmon originating in the Yukon River to the Department of the Interior, the Department of Commerce, the Department of State, the North Pacific Fishery Management Council, and other Federal or State entities as appropriate. Recommendations by the Panel shall be advisory in nature.

(Pub. L. 106-450, title II, §205, Nov. 7, 2000, 114 Stat. 1943.)

**§ 5725. Administrative matters**

**(a) Compensation**

Panel members and alternate Panel members who are not State or Federal employees shall receive compensation at the daily rate of GS-15 of the General Schedule when engaged in the actual performance of duties.

**(b) Travel and other necessary expenses**

Travel and other necessary expenses shall be paid by the Secretary of the Interior for all Panel members, alternate Panel members, and members of any advisory committee established under section 5722 of this title when engaged in the actual performance of duties.

**(c) Treatment as Federal employees**

Except for officials of the United States Government, all Panel members, alternate Panel members, and members of any advisory committee established under section 5722 of this title shall not be considered to be Federal employees while engaged in the actual performance of duties, except for the purposes of injury compensation or tort claims liability as provided in chapter 81 of title 5 and chapter 71<sup>1</sup> of title 28.

(Pub. L. 106-450, title II, §206, Nov. 7, 2000, 114 Stat. 1943.)

REFERENCES IN TEXT

GS-15 of the General Schedule, referred to in subsec. (a), is set out under section 5332 of Title 5, Government Organization and Employees.

**§ 5726. Yukon River salmon stock restoration and enhancement projects**

**(a) In general**

The Secretary of the Interior, in consultation with the Secretary of Commerce, may carry out projects to restore or enhance salmon stocks originating from the Yukon River in Canada and the United States.

**(b) Cooperation with Canada**

If there is in effect an agreement between the Government of the United States and the Government of Canada for the conservation of salmon

on stocks originating from the Yukon River in Canada that includes provisions governing projects authorized under this section, then—

(1) projects under this section shall be carried out in accordance with that agreement; and

(2) amounts available for projects under this section—

(A) shall be expended in accordance with the agreement; and

(B) may be deposited in any joint account established by the agreement to fund such projects.

(Pub. L. 106-450, title II, §207, Nov. 7, 2000, 114 Stat. 1944.)

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 5727 of this title.

**§ 5727. Authorization of appropriations**

There are authorized to be appropriated to the Secretary of the Interior to carry out this subchapter \$4,000,000 for each of fiscal years 2000, 2001, 2002, and 2003, of which—

(1) such sums as are necessary shall be available each fiscal year for travel expenses of Panel members, alternate Panel members, United States members of the Joint Technical Committee established by paragraph C.2 of the memorandum of understanding concerning the Pacific Salmon Treaty between the Government of the United States and the Government of Canada (recorded January 28, 1985), and members of an advisory committee established and appointed under section 5722 of this title, in accordance with Federal Travel Regulations and sections 5701, 5702, 5704 through 5708, and 5731 of title 5;

(2) such sums as are necessary shall be available for the United States share of expenses incurred by the Joint Technical Committee and any panel established by any agreement between the Government of the United States and the Government of Canada for restoration and enhancement of salmon originating in Canada;

(3) up to \$3,000,000 shall be available each fiscal year for activities by the Department of the Interior and the Department of Commerce for survey, restoration, and enhancement activities related to salmon stocks originating from the Yukon River in Canada, of which up to \$1,200,000 shall be available each fiscal year for Yukon River salmon stock restoration and enhancement projects under section 5726(b) of this title; and

(4) \$600,000 shall be available each fiscal year for cooperative salmon research and management projects in the portion of the Yukon River drainage located in the United States that are recommended by the Panel.

(Pub. L. 106-450, title II, §208, Nov. 7, 2000, 114 Stat. 1944.)

**CHAPTER 78—NATIONAL NATURAL RESOURCES CONSERVATION FOUNDATION**

Sec.

5801.

5802.

Definitions.

National Natural Resources Conservation Foundation.

<sup>1</sup> So in original. Probably should be “171”.

Sec.

- (a) Establishment.
- (b) Duties.
- (c) Limitations and conflicts of interest.
- 5803. Composition and operation.
  - (a) Composition.
  - (b) Nongovernmental employees.
  - (c) Membership.
  - (d) Chairperson.
  - (e) Vacancies.
  - (f) Compensation.
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- 5804. Officers and employees.
  - (a) In general.
  - (b) Officers and employees.
- 5805. Corporate powers and obligations of Foundation.
  - (a) In general.
  - (b) Seal.
  - (c) Powers.
  - (d) Interests in property.
- 5806. Administrative services and support.
- 5807. Audits and petition of Attorney General for equitable relief.
  - (a) Audits.
  - (b) Relief with respect to certain Foundation acts or failure to act.
- 5808. Release from liability.
  - (a) In general.
  - (b) Statement.
- 5809. Authorization of appropriations.

**§ 5801. Definitions**

In this chapter (unless the context otherwise requires):

**(1) Board**

The term “Board” means the Board of Trustees established under section 5803 of this title.

**(2) Department**

The term “Department” means the Department of Agriculture.

**(3) Foundation**

The term “Foundation” means the National Natural Resources Conservation Foundation established by section 5802(a) of this title.

**(4) Secretary**

The term “Secretary” means the Secretary of Agriculture.

(Pub. L. 104-127, title III, §352, Apr. 4, 1996, 110 Stat. 1010.)

## SHORT TITLE

Section 351 of title III of Pub. L. 104-127 provided that: “This subtitle [subtitle F (§§351-360) of title III of Pub. L. 104-127, enacting this chapter and amending section 1101 of [former] Title 36, Patriotic Societies and Observances] may be cited as the ‘National Natural Resources Conservation Foundation Act’.”

**§ 5802. National Natural Resources Conservation Foundation****(a) Establishment**

A National Natural Resources Conservation Foundation is established as a charitable and nonprofit corporation for charitable, scientific, and educational purposes specified in subsection (b) of this section. The Foundation is not an agency or instrumentality of the United States.

**(b) Duties**

The Foundation shall—

(1) promote innovative solutions to the problems associated with the conservation of natural resources on private lands, particularly with respect to agriculture and soil and water conservation;

(2) promote voluntary partnerships between government and private interests in the conservation of natural resources;

(3) conduct research and undertake educational activities, conduct and support demonstration projects, and make grants to State and local agencies and nonprofit organizations;

(4) provide such other leadership and support as may be necessary to address conservation challenges, such as the prevention of excessive soil erosion, the enhancement of soil and water quality, and the protection of wetlands, wildlife habitat, and strategically important farmland subject to urban conversion and fragmentation;

(5) encourage, accept, and administer private gifts of money and real and personal property for the benefit of, or in connection with, the conservation and related activities and services of the Department, particularly the Natural Resources Conservation Service;

(6) undertake, conduct, and encourage educational, technical, and other assistance, and other activities, that support the conservation and related programs administered by the Department (other than activities carried out on National Forest System lands), particularly the Natural Resources Conservation Service, except that the Foundation may not enforce or administer a regulation of the Department; and

(7) raise private funds to promote the purposes of the Foundation.

**(c) Limitations and conflicts of interest****(1) Political activities**

The Foundation shall not participate or intervene in a political campaign on behalf of any candidate for public office.

**(2) Conflicts of interest**

No director, officer, or employee of the Foundation shall participate, directly or indirectly, in the consideration or determination of any question before the Foundation affecting—

(A) the financial interests of the director, officer, or employee; or

(B) the interests of any corporation, partnership, entity, organization, or other person in which the director, officer, or employee—

(i) is an officer, director, or trustee; or

(ii) has any direct or indirect financial interest.

**(3) Legislation or government action or policy**

No funds of the Foundation may be used in any manner for the purpose of influencing legislation or government action or policy.

**(4) Litigation**

No funds of the Foundation may be used to bring or join an action against the United States.

(Pub. L. 104-127, title III, §353, Apr. 4, 1996, 110 Stat. 1010.)